

## **The Zigomar Scandal and the Film Censorship System in Japan**

Scandal is a Janus-faced phenomenon. Perceived in general categories as a conscious performative practice or unintended effect of certain circumstances, it (almost) never fails to draw attention, elicit discussion, and – in some cases – contribute to transformations in socio-cultural and institutional order. On the other hand, its particular, historically rooted manifestations tend to devaluate and become obsolete in quite a short period of time. Today it is hard to imagine a person who would be shocked by *The Catcher in the Rye*, and it is even more difficult to regard transgressive cinema in the style of John Waters as anything more than a tasteless joke. Social context, historical background, zeitgeist – these are the keywords in the analysis of scandals, both past and present. No less important is the issue of spatial – geographical and cultural – distance. What might be viewed as outrageous in the perception of one society may not even be worthy of perfunctory interest, let alone any kind of serious debate or preventive actions in another. Although this is most evident at a transcontinental level, where cultural differences are significant, it may also be observed in the case of societies which are part of a larger cultural group. One can easily exemplify this by pointing out Italian exploitation movies, easily produced and exported, but then blocked *en masse* by British film censors (the ill-famed list of so-called “video nasties” banned by the *Video Recordings Act* of 1984).

The scandal caused by the Japanese premiere of French *Zigomar* series is worthy of an in-depth study because of its far-reaching consequences for both the Japanese movie industry and Japanese discourse of cinema. To comprehend its essence requires analysis of its context(s): historical, political, social, cultural and legislative. Only then we will be able to answer the question: Why did this series – perceived as harmless entertainment and appreciated both by mass audiences and members of intellectual and artistic circles in Europe – elicit such disgust, outrage, dread and hysteria in Japan. The problem is complex and can be discussed with reference to a set of interrelated issues:

a) the shaping of modern Japan and policies regulating transformation from an anachronistic decentralised feudal country into a centralised industrial nation-state, determining both short and long-term goals of these processes and defining means which might contribute to their achievement.

- b) the transformation and diversification of lifestyles and leisure activities of modern Japanese people, particularly the emergence of the cinema as a form of mass entertainment,
- c) the development of the Japanese movie industry and its gradual transition from an exhibition-oriented model (in which theatre owners play a dominant role) into a production-oriented model (in which movie producers play a dominant role),
- d) reflection on the immanent properties of the cinema – its uniqueness in comparison to the pre-existing media,
- e) the press and its relations with the cinema,
- f) the evolution of legislative discourse applied to the cinema and its censorship.

In the following parts of this article I will concentrate on three key issues: the state's policies toward the cinema, the media storm triggered by the press, and the transformations within the scope of the legislative system.

### **From Detectives to Masterminds of Crime: Crime Film Serials**

Theatrical film serials, identified as one of the precursors of the modern television serial (Stachówna 1994: 73), emerged at the turn of the first and the second decade of the twentieth century. This internally diverse formula is a testimony to the movie industry's transition from a one-reel film model (approximately 15 minutes in length) into cinematographic products not only longer but also more complex in terms of plot, narrative strategies and structure.

Within the formula of the film serial we may distinguish two variants: the film series, composed of relatively independent films connected solely by the main character and general theme, and the theatrical serial, in which one main story arc is divided into a number of episodes. These films were screened in chronological order, usually biweekly but sometimes on a more irregular basis. A separate issue is the structure of particular movies constituting the film series. Despite being intended as a generic whole (that is: a single movie), for technical reasons they were divided into several episodes, each equivalent to one reel of film. This allowed film entrepreneurs to screen them both as a feature film and serial. For example: the first installment of the *Fantômas* series – the three-episode *Fantômas: In the Shadow of the Guillotine* (*Fantômas I: À l'ombre de la guillotine*, 1913) – could have been exhibited in one movie theatre as a multiple-reel feature film while in another in the form of weekly episodes: *The Theft at the Royal Palace Hotel* (*Le Vol du Royal Palace Hotel*), *The*

*Disappearance of Lord Beltham (La Disparition de Lord Beltham)* and *By the Guillotine (Autour de l'échafaud)*.

The French serial film has developed a number of models such as literary adaptation, melodrama or crime film. The latter emerged in 1908 when Victorin-Hippolyte Jasset, an Éclair employee, created a six-episode series *Nick Carter, The King of Detectives (Nick Carter, le roi des détectives)*, based on American dime novels issued in France by the German publishing house Eichler. In the following years Jasset wrote and directed a number of Nick Carter sequels and series in others genres. With the premiere of *Zigomar, King of Thieves (Zigomar, roi des voleurs)*, held in September 1911, Jasset revolutionised the formula of the crime film series by introducing a new type of hero. In contrast to Nick Carter, protector of law and order, Zigomar was a thoroughbred mastermind of crime. It is worth noting that the cinematographic turn toward criminals had its source in literature where similar change had been initiated at the end of the twentieth century by Ernest William Hornung, Arthur Conan Doyle's brother-in-law. He acknowledged, that the formula of the detective novel had become tired with overuse and so re-vitalised the genre by focusing on the criminal instead of the lawman, thus bringing to life the character Arthur J. Raffles – a gentleman safe cracker. (Gunning 2005: 256-257). Zigomar himself was originally a literary character appearing in the serial novel published by the Paris-based newspaper *Le Matin*.

Although Zigomar and Carter were fighting on opposite sides of the barricade they shared certain similarities: both were used to utilizing various camouflage techniques and seemed to be preternaturally invulnerable and able to overcome death (this was archived by a narrative device in which what seemed to be a definitive demise at the end of previous episode was redefined in a sequel as something less than fatal) (Gunning 2004: 136-137). Nick Carter had appeared in the first installment of *Zigomar* and its follow-up, *Nick Carter versus Zigomar (Zigomar contre Nick Carter)*, released on March 20, 1912. One year later, Zigomar returned for the last time in *Zigomar the Eelskin (Zigomar peau d'anguille)*. As the series was highly lucrative, *Zigomar the Eelskin* was not intended as its finale. This is indicated by the film's quasi-open ending in which Rosaria – Zigomar's henchwoman – smiles and blinks toward the camera implying that their apprehension by the authorities is only temporary. Sequels, however, were not produced, because Léon Sazie, author of the literary original, sued Jasset and Éclair for excessive alteration of the source material (Abel 1998: 367).

After Jasset's death the formula was further developed by Louis Feuillade, a Gaumont employee. The main attraction of his *Fantômas* film series (1913-1914), adapted from novels by Marcel Allain and Pierre Souvestre, and serial *The Vampires* (*Les Vampires*, 1915-1916) was a sinister master of deception clearly inspired by the Zigomar character. *Judex* (1917-1918), his second most famous serial, featured a masked avenger who fought crime employing a number of unorthodox methods, including camouflage in the style of both Nick Carter and Zigomar. The practice of copying elements of pre-existing plots and characters present in these works can be derived directly from *Fantômas*'s literary original, as due to the demanding contractual obligations (one novel of over 380 pages per month) Allain and Souvestre used to create similar stories, recycle elements of their previous projects and plagiarise intrigues from adventures of Arsène Lupin, Joseph Rouletabille and Zigomar (Waltz 2000: 52-53).

The immense popularity of crime film serials almost immediately spread beyond France's borders. Soon film companies in other countries adapted the new format and began producing their own serial films such as – to name just a few – the British *Lieutenant Daring* (1911-1914), the Danish *Dr. Gar El Hama* (1911-1918), the Italian *Za La Mort* (1914-1924) and the American *The Iron Claw* (1916).

### **Unexpected Success, Unintentional Scandal: *Zigomar* in Japan**

The formula of the crime film was introduced to Japan by *Zigomar, King of Thieves* which opened in Asakusa's Kinryūkan theatre on November 11, 1911. What is interesting is that initially its importer – the Fukuhōdō company – had been reluctant to release the movie and decided to do so later, only to fill in a gap in its theatres' repertoire created by the shortage of other products due to problems with shipping. Back then, however, the importing of movies that would then subsequently be left on the shelves was not all that extraordinary.

At that time it was a common practice within the Japanese movie industry to either import movies *en masse* without their prior screening (which was based on the assumption that every multiple-film package would contain some films of low commercial value but also a few potential blockbusters), or delegate a company's representative abroad in order to acquire the most promising foreign movies (which reduced the risk of importing worthless products, but also entailed greater operational costs).

In this particular case, Fukuhōdō applied the second strategy - *Zigomar, King of Thieves* was one of the movies purchased by its employee Suzuki Yō whilst on a business trip to London. The company management

however was less than enthusiastic about the movie. Up to this date there is no consensus among film scholars regarding the reasons for the management's reluctance to screen *Zigomar, King of Thieves* (Makino 2001: 58-61). Most sources suggest that company owners were concerned about the film's criminal subject matter and the risk of police intervention. Nevertheless, some scholars – e.g. Yoshida Chiezō – indicate that they simply found such an unorthodox picture devoid of any entertainment (hence: commercial) value and that during the test screening some of the executives fell asleep out of boredom. Whatever the reasons for withholding the premiere, the fact remains that it turned out to be an unexpected success and the source of the first scandal experienced by Japan's fledgling movie industry.

As initially no-one had forecasted the movie's success and exhibitors had no experience in promoting such products, Yamamoto Kichitarō – manager of Kinryū-kan – applied an unconventional marketing strategy. Not only did he introduce the *karakana* title – *Jigoma* (ジゴマ) for the first time in the history of the Japanese film industry, but he also ordered his employees to prepare billboards filled solely with Zigomar's face and a caption with the character's name. A noteworthy fact is that a similar approach had been previously adopted in France during the marketing of both Zigomar's literary and film cinematographic incarnations. The publication of Léon Sazie's novel was preceded by a publicity campaign which used posters inscribed solely with Zigomar's name. The first advertisements of the film adaptation contained only a contorted face on black background shouting "Zigomar" (Gunning 2004: 137-138).

The film's marketing strategy, based on minimalism and mystery, turned out to be spot on – vast crowds of intrigued spectators flooded Kinryūkan and the theatre noted a record-breaking opening. The scale of *Zigomar's* success may be demonstrated by pointing out that the film's theatrical run was extended to over a month and a half despite the fact that at that time an average cinema's repertoire was changed on a weekly basis, and that the theatre's daily income varied from 800 to 1,000 yen, which is extraordinary in itself as Kinryūkan's rent was 600 yen per month. Perhaps it is even more spectacular if we consider that, with the price of admission set at 50 sen, the total number of daily visitors had to vary from 1,600 to 2,000. According to recollections of Fukuhōdō's executive of the time, Kobayashi Kisaburō, the net profit for the monthly screening of the film was about 8,000 yen (Makino 2001: 58-59).

Japanese studios recognised the commercial potential of crime films and began to capitalise on Zigomar's success by creating local imitations such

as *New Zigomar* (*Shin Jigoma*) produced by M.Pathé, *Japanese Zigomar* (*Nihon Jigoma*) and *The Record of Zigomar's Reformation* (*Jigoma Kaishinroku*) by Yoshizawa Shōten and *Great Detective Zigomar* (*Jigoma Daitantei*) by Fukuhōdō. The main difference between the strategies of Japanese producers and their Western counterparts was that the former did not even bother to pretend that they were not plagiarizing original work by changing their villain's name, as the risk of copyright infringement lawsuit was virtually non-existent (despite the existence of copyright law there were no formal copyright enforcement agencies in Japan up to 1925 [Yecies, Shim 2006: 4]). The popularity of Zigomar was so great that on the night of October 4, 1912 four of the major movie theatres in Asakusa were showing one of the Japanese variations on the character (Gerow 2010: 54). A few months earlier, the Japanese audience had an opportunity to see the second installment of the original series, which premiered in Japan on May 1, 1912. The phenomenal success of Zigomar did not pass unnoticed by the publishing industry and soon movies were followed by their novelizations and independent works inspired by them.

This period of liberty, however, did not last for long. The Zigomar craze drew the attention of bureaucrats and intellectuals and thus a debate on cinema and its alleged negative influence on minors began. Although this opinion had been articulated for the first time in educational circles at the beginning of 1911, it gained wider resonance only after educators were joined by the press which initiated a campaign against Zigomar-like films and urged for them to be banned. A key role in these activities was played by the *Tōkyō Asahi Shinbun* newspaper.

The newspaper's campaign was carried out in two stages. The first was initiated in February 1912 by the publication of a ten-part series of articles entitled *Motion Pictures and Children* (*Katsudō shashin to jidō*) (Salomon 2002: 141). At this point Zigomar was not singled out directly, as the threat was defined as a general category of cinema as a whole. This situation changed on October 4, 1912 with the commencement of a publication of an eight-part series of highly critical articles devoted solely to the Zigomar phenomenon. The argumentation of the critics ran along several lines which will be discussed in more detail in the following parts of this article. At this point it is sufficient to indicate that it focused on the cinema's supposed ability to inspire audience members to commit copycat crimes based on what they had seen on screen.

The press achieved its goal. On October 9, 1912 the Tokyo Metropolitan Police enacted a ban on the screening of movies featuring the Zigomar character or inspired by them, but allowed films that had already acquired

permission for screening to stay in theatres' repertoires until the 20th of October (Gerow 2010: 55). Tokyo's example was soon followed by other cities. Although Zigomar disappeared from screens, he did not leave the minds of the Japanese people. The popular fictional mastermind of crime tended to resurface in subsequent press articles and discussions on the necessity of developing more efficient censorship procedures, which led to the establishment of autonomous and centralised regulations in the field of film censorship.

Due to the switch of interest from specific title(s) to the problem of general film regulations, anti-Zigomar sentiments gradually weakened to a point where in September 1914 *Zigomar the Eelskin* was screened in Japan. However, this happened with a relatively long delay after the film's French premiere which was held on March 21, 1913. What is more, prior to releasing the film to the public the importer had engaged in auto-censorship, mainly within the scope of intertitles.

At this point it is necessary to emphasise that restrictive censorship (or *post factum* censorship, as opposed to preventive censorship) applied to the cinema was not anything new in Japan. First references to such practices come from 1897 when the police in Tochigi Prefecture issued a ban on Edison's *Annabelle's Butterfly Dance* (1894) on the grounds of public morality. (Makino 2001: 47-48) The uniqueness of Zigomar's case lies not in the fact of the enactment of a ban but its premises and consequences.

As I have noted in the first part of article, the scandal that arose around the *Zigomar* film series is worthy of an in-depth study precisely because of its profound consequences for both the Japanese movie industry and Japanese discourse of cinema. If the whole affair had concluded with the banning of the problematic productions it would have been nothing more than historical trivia. At best it might have served as yet another one of the countless illustrations of the problem of cultural differences. The "Zigomar Scandal" may be perceived that way too – after all it is a fine and clear example of how exactly the same product is evaluated differently by members of two different societies – but then its analysis does not exceed the realm of banality. In contrast, when treated as a whole, with all of its prerequisites and effects, it emerges as one of the turning points in the history of Japanese cinema.

### **Condemned before Proven Guilty: Sources of the Scandal**

The first installment of the *Zigomar* series stormed the Japanese screens at a critical moment in the emergence of the cinema as an independent medium. To a certain extent, the scandal that followed the boom in crime

films was less the effect of the properties, both actual and alleged, of the original production and its imitation, than of a more general atmosphere surrounding the cinema and the gradual changes in its perception. Had a similar film arrived in Japan three years earlier, it would have most likely been removed from the screens without extensive media coverage, the movie industry would have treated it as an element of occupational risk, the authorities would not have devoted further attention to this matter, and – what is most important – issuing a ban would not have provided an impulse for the systematic transformation of film regulations.

By the beginning of the 1910s it had become obvious that the cinema was neither a mere technical novelty nor a short-lived sensation, but a permanent component of the modern world. The first permanent movie theatres came into existence in Japan at the beginning of the twentieth century, usually by the transformation of previously existing facilities – e.g. Kinki-kan had been converted from a live theatre to a film theatre in 1900 (Desser 2000: 10), three years later the same happened to Denki-kan, originally established as a hall where the phenomenon of electricity (jap. “denki”) was presented (Domenig 2010; High 1984: 31-32). By the end of 1912 in Tokyo alone there were – according to various estimates – from 40 to 70 permanent cinemas (Salomon 2002: 144), not to mention temporary movie theatres and facilities that screened films in addition to other forms of entertainment, such as *kabuki*, *yose* (寄席, Japanese variation of the vaudeville) and *rensageki* (連鎖劇, “chain-drama” – hybrid performative art developed in the first decade of the twentieth century which integrated short film segments into live theatre). The rapid expansion of infrastructure was the response to the steady but swift increase in popularity of cinema as a form of leisure in terms of both average number of admissions and social diversification of audience.

Although cinema was recognised as a permanent facet of the social landscape, it was still an enigma in terms of its properties. As the existence of the new social phenomenon could not be denied, the centre of gravity of the ontology of cinema switched to questions such as „What is it?” and „What does it do?”. It is necessary to emphasise that these dilemmas were not exclusive to Japan. Japanese scientists were conducting experiments on the hypnotic properties of cinema and its impact on children’s sleep (nightmares and somnambulism) at the same time their Western counterparts were engaged in similar research. (Hase 1998: 92-94)

The second decade of the twentieth century was a time of in-depth reflection on the psychological and social properties of cinema. After a few years of speculating how movies affect the human psyche Hugo



Münsterberg published his conclusions in 1916 on the pages of *The Photoplay: A Psychological Study* (Helman 2010: 21-28). Around the same time Vachel Lindsay reflected on the social properties of the cinema (Lindsay 2000: 116-125, 139-144, 150-160) and later argued that its most significant function is the ability to convert diversified masses into a uniform American nation, claiming that:

The whole nervous psychology of the American race has (...) been completely revolutionized. More and more hieroglyphics and more speed, are making one nation of all the tribes and tongues under this government, and really making them one separate tribe (Lindsay, Lounsbury 1995: 235).

Discussion about the educational and socialisation potential of cinema was also present within the movie industry. David Wark Griffith used to say that “film can impress upon people as much of the truth of history in an evening, as many months of study will accomplish” (Rosenstone 2006: 11-12). A little bit earlier, on Japanese soil, Gonda Yasunosuke came to similar conclusions. In *The Principles and Applications of Moving Picture* (*Katsudō shashin no genri oyobi ōyō*, 活動写真の原理及応用) he baptized cinema as “a vehicle for the new civilization” and foretold its role as a medium that concurrently provides masses with entertainment and increases their knowledge. Among the Japanese works devoted to the social aspects of cinema it is worth mentioning *The Study of the Mass Entertainment* (*Minshū goraku no kenkyū*, 民衆娯楽の研究) published in 1920 by Tachibana Takahiro, in which he analyzed relations between the cinema and issues such as education, crime, legislation, juvenile problems and social conventions (Iwamoto 1987: 131).

The scandal that arose in Japan around the original *Zigomar* and its imitations cannot be fully explained solely by pointing out the changes in cinema’s status and the parallel interest of scientists in its socio-psychological aspects. After all, analogous trends appeared in Europe and USA and yet they were not followed – at least at that time – by such ferocious criticism of the new medium and demands for its rigorous control. What is more, the *Zigomar* series was highly popular in nearly all Western countries. So far in this article, we have explored the sphere of the context, not the direct sources of the scandal. These ought to be sought in two interrelated yet relatively independent issues: the authorities’ ambitions to utilise cinema to achieve political goals and the activities of the press.

At the threshold of the Era (1868-1912), the Japanese authorities faced a serious dilemma concerning the shape of the new – at that time: nascent – Japan. The key issue was the relation between desirable transformations in the spheres of politics, economy and technology and socio-cultural changes. The most important question was whether becoming a modern state and obtaining a strong position in the international arena requires the ubiquitous acceptance of western customs. Using the terminology proposed by Samuel P. Huntington (1996: 72-76) we may say that Japan's solution to this problem was embarking on a path of “reformism”, an intermediate model between the two extremes – “rejectionism” (rejection of both modernization and Westernization) and “kemalism” (acceptance of both trends; term coined after Mustafa Kemal Atatürk's socio-political reforms of Turkey in 1920s and 1930s).

The reformist attitude of the authorities was clearly visible in rejecting the radical postulate “Escape Asia, Enter Europe” (*datsua nyūō*, 脱亜入欧), coined by Fukuzawa Yukichi, in favour of “Japanese spirit and Western technology” (*wakon yōsai*, 和魂洋才), derived from the writings of Yoshizawa Tadayasu. The most important consequence of adopting this ideology was an attempt to create the new Japanese citizen – one that was able to assimilate Western knowledge, efficiently operate Western technology, and actively contribute to the process of modernization, yet faithful to the Japanese spirit, tradition and established relations of authority.

The ideological framework that laid the foundations of the new Japan was broad and complex, yet for the purposes of this article it is sufficient enough to point out three of its elements. The most important was the concept of *kazoku kokka* (家族国家, family-state) which transposed family relations, especially in the scope of hierarchy and authority, first on the level of the nation (the emperor as the head of the family, citizens as obedient children) and later the whole of East Asia (Japan as the head of the Asian family). As rapid economic and technological progress required citizens willing to acquire new skills and delay gratification, the government propagated the doctrine of self-improvement or self-cultivation (*shūyō shugi*, 修養主義) and the cult of success (*risshin shusseshugi*, 立身出世主義). All these actions were aimed at the formation of national identity and the implantation of the ideals of the nation's mission.

The political and intellectual leaders of the Meiji Restoration soon realised that popular culture could be used to achieve policy goals. Thus, the elites postulated the elevation of popular entertainment and its utilization as a

means of education and enlightenment. Before cinema came to Japan this postulate had been implemented into *kabuki* theatre which – according to advocates of its reform – was to become “the classroom of the unlettered” (High 1984: 30).

Towards the end of the 1870s Ichikawa Danjūrō IX and Kawatake Mokuami introduced an experimental form of *kabuki* – *katsurekigeki* (活歴劇), “living-history plays” or “plays where history is brought to life”. The basic idea of *katsurekigeki* was to place greater attention on the historical accuracy of plays in terms of the course of events, characters and costumes. It set a precedence in the world of Japanese theatre by allowing outsiders to contribute to the creative process when two historians provided data for the play devoted to the life of Tokugawa Ieyasu (Powell 2000: 8).

Theatre reform movements of the 1880s and 1890s, however, argued that the new didactic function of *kabuki* should not be limited to providing audiences with factual knowledge. In particular, the Society for Theatre Reform (*Engeki Kairyōkai*, 演劇改良会) established, among others, by the then Prime Minister Itō Hirobumi, Foreign Minister Inoue Kaoru and Minister of Education Mori Arinori, and chaired by Itō’s son-in-law, Suematsu Kenchō (Poulton 2010: 3), underlined *kabuki*’s edifying function and perceived it – after the necessary elimination of stage indecency and elements incompatible with the new socio-political order – as a theatre of moral inspiration. The government articulated similar aspirations in the field of literature which was appreciated by a significant portion of intellectuals.

The idea of utilising entertainment for educational purposes was fully developed in the conception of “popular education” (*tsūzoku kyōiku*, 通俗教育) introduced by Komatsubara Eitarō, Minister of Education in the second cabinet of Katsura Tarō (1908–1911). In contrast to the radical ideas of these of theatre reformers who perceived *kabuki* as a school for the illiterate, popular education was envisioned not as an independent way of obtaining knowledge and morals but as supplementary to formal education. Originally, Komatsubara and his associates intended to limit the legislative and administrative measures related to the concept of *tsūzoku kyōiku* entirely to those with a positive character – the promotion of desired trends in film-making and the recommendation of works recognised as educationally valuable. This, however, proved to be insufficient.

In the last year of his tenure, Komatsubara founded Popular Education Investigation Committee (*Tsūzoku Kyōiku Chōsa Iin Kai*, 通俗教育調査委員会) in order to explore the possibilities of the educational use of popular

literature, public lectures, lantern slides (*utsushie*, 写し絵) and motion pictures. In November 1911, the committee published a preliminary report of its findings which contained, among other things, information about inspection procedures of motion pictures and the measures of promotion of those found educationally valuable. The initiation of the process of obtaining the committee's approval remained in the remit of movie producers, marketers and exhibitors. According to newly developed provisions they were required to file an application accompanied by a copy of the film and its documentation (the catalogue description and transcription of narration delivered during the screenings). Movies which had received the committee's authorization (in some cases after necessary alterations) could bear the seal "Approved by the Popular Education Investigation Committee" and their titles, along with the names of applicants, were to be made public through the official law gazette *Kanpō* (官報) (Makino 2001: 52-53).

The recognition of popular culture as an educational platform able to promote positively valorised values, knowledge, attitudes and habits is inextricably linked with the opposite observation, that is the recognition of the possibilities of its negative impact on both individuals and society – the promotion of values conflicting with the existing social order, the transfer of dangerous knowledge, the legitimization of undesirable attitudes and encouragement for undertaking activities contrary to the interests of the authorities. From the government's perspective, popular culture was able to effectively fulfil its tasks only after eliminating its harmful elements. Hence, the third section of the committee's report urged for an introduction of the negative means of cinema's control in terms of both a film's content and screening conditions. Among the problems diagnosed by the investigation committee were the inappropriate hygienic and moral conditions in theatres, exposure to improper Western customs, uneducated film interpreters and indecent songs accompanying the projection (Salomon 2002: 146). Thus, the conclusion of the film section stated that everyone should be encouraged not to show movies to children and in cases when this was impossible it was necessary to obey the various points of caution (Makino 2001: 54-55).

Although the committee was successful in achieving some of its plans (e.g. in 1912 *Kanpō* began to publicise titles of movies considered educationally valuable), its activities did not gain wide resonance. Since its foundation, the committee had struggled with staff and infrastructural shortcomings resulting from a too hasty involvement in the film inspection. Far more important, however, was the fact that by the time the committee solved its

internal problems the public debate over the cinema had already switched to more restrictive areas. Under pressure from the press, the Tokyo Metropolitan Police twice – in 1912 and 1917 – issued film regulations focused on preventive censorship and the restrictions of movie viewing by certain segments of the audience. Paradoxically, the Popular Education Investigation Committee had provided press discourse with arguments against the cinema, but the latter – mainly because it used more categorical statements – had a far greater impact on the public debate and relegated the issue of the educational potential of film to its outer edge.

Before discussing the activities of the press it is worth noting that the Ministry of Education never abandoned hopes for the active use of the new medium nor ceased to develop new soft means of guiding the production strategies of film companies and repertoire choices of cinema managers. In 1920, the ministry introduced the Film Recommendation System (*Eiga Suisen Seido*, 映画推薦制度) in which movies that were recognised as especially valuable were promoted in the ministerial gazette and were given the privilege of special screenings. The best of these movies were annually awarded with the Medal for Superior Films (*Yūryō Eiga Shōhai*, 優良映画賞牌) (Salomon 2002: 150-151). The practice of public recommendation of films contributing to the development and elevation of “national culture” (*kokumin bunka*, 国民文化) was upheld even after the introduction of the Film Law (*Eiga hō*, 映画法) of 1939 under which the authorities obtained new prerogatives including a license to order the production of films on a specific topic. This is, however, quite a different story, so let us leave the problem of the ministry’s ambitions and focus on the second, more direct, source of the “Zigomar Scandal”.

The motives behind *Tōkyō Asahi Shinbun*’s furious reaction to the popularity of the *Zigomar* films still raise serious doubts. Its criticism of the cinema corresponded with the anxieties of many contemporary intellectuals of the time, especially those from educational circles, yet its scale seemed to be disproportionate to the actual problem. The newspaper did not limit itself to reporting on the controversy surrounding the cinema but contributed if not to its elicitation then at least to its intensification. There is no doubt that even without the complicity of the press, the system of film censorship would have eventually been developed and introduced, however, it would have been a much more drawn-out process. Hence it is reasonable to ask about the causes of the newspaper’s engagement in the campaign against the *Zigomar* film series and cinema in general.

It is probable that some journalists actually shared the concerns of educators. Nevertheless, what seems to be more important is a particular

economic factor – strong competition, both internal and external, within one medium (press) and between different media (press and cinema). In the first case the key issue is the specificity of the *Tōkyō Asahi Shinbun* which at that time tended to utilise a series of techniques characteristic to *yellow-journalism*: large number of illustrations, attention-grabbing headlines and sensational content of the articles. Although this observation is useful in explaining the form of the newspaper's attack on cinema it has far less explanatory value with reference to its purposes. A more comprehensive understanding of that matter requires a discussion on the relations between the press and the cinema in that period.

By the beginning of the 1910s it became clear that cinema would soon become an equal rival to the press in the fight for Japanese souls and yen. The press, which had so far perceived itself as the sole mass-medium, faced the risk of losing customers. Thus, it made an attempt to polarise society into two categories: (press) readers and (film) spectators. The first group was valorised positively, while the second was attributed with solely negative traits in terms of both intellectual capabilities and morals. From *Tōkyō Asahi Shinbun*'s viewpoint, the cinema's clientele differed from the rest of society from the start and the movies actually only intensified these differences. A picture of audiences almost abnormal in character, possessing addiction-prone personalities, and similar to “ants swarming around a piece of sweet sugar” (Gerow 2010: 58) emerged from the newspaper's reports. The paper distanced itself – and consequently its readers – from regular movie-goers lacking in the spheres of intellect, emotions and morals. As “prisoners” of cinema were unable to free themselves due to their immanent infirmity, taking care of them became something of a moral imperative for enlightened citizens.

*Tōkyō Asahi Shinbun*'s criticism referred to three separate issues: the specificity of the movie industry, the conditions of film screenings, and the immanent properties of the cinema. The newspaper presented an image of the movie industry as a highly competitive environment where beating competitors and breaking previous box-office records were to be achieved at any price. Journalists also claimed that the entire space of film consumption was organised in such a way as to allow a joint attack on all of the spectator's senses (first dazzling lights and strong colours, then almost complete darkness, a repulsive smell and a cacophony of sounds) even before screening, leading them to a state of mental unbalance and preparing them for the film's hypnotic influence. This, in turn, was possibly due to a unique feature of the cinema, absent in other media, namely the ability to “surpass” fiction and turn it into reality. Enhanced by

the conditions present in cinema auditoriums, film was a form of “stimulation” (*shigeki*, 刺激) able to bypass the filtering functions of reason and directly affect the viewer’s character (ibid.: 55-58).

The newspaper’s crowning argument for the restrictive control of cinema was the claim that watching movies about Zigomar encouraged viewers, especially minors, to commit copycat crimes. “Once you see Zigomar, you cannot call it a detective film, but rather a film promoting crime or a film glorifying criminals” – ranted the author of an article published on October 7, 1912 (ibid.: 55). The best indicator of this rhetoric’s strength is the fact that it set the tone of Japanese film scholarship for several decades. Still, in 1979, Tanaka Jun’ichirō categorically stated that the screenings of films devoted to Zigomar resulted in production of scores of juvenile offenders (Makino 2001: 60). It was not until the systematic analysis of press articles from the 1910s, conducted over the last three decades by scholars such as Fujio Shigeo, Hase Masato and Aaron Gerow, that these opinions could be verified.

Fujio Shigeo argued that it is impossible to find a single article published before the removal of Zigomar films from the screens that directly ties them to any real crimes – that kind of association existed only in the minds of the journalists (ibid.: 61). Even after the enactment of the ban, newspapers tended to use generalities rather than give specific examples of the felonies inspired by Zigomar. What is more, even if they did so, these examples raise reasonable doubts. Hase Masato points out two such articles, published respectively in *Chūgai Shōgyō Shinpō* on October 15, 1912 and in *Jiji Shinpō* on October 25, 1912, reporting on the arrest of juvenile thieves fascinated by the fictional French robber, one of whom had even adopted the alias “New Zigomar” (Hase 1998: 90). In-depth analysis of the articles’ content, however, leads to the conclusion that none of the apprehended youths could have learned criminal techniques from the “demoralizing” productions – not only did they have a different *modus operandi* but they also embarked on a path of crime before they had the opportunity to see movies with the Zigomar character.

Media hype led to the creation of factoid – unverified belief in the criminogenic properties of the cinema. It is still unclear whether the press did it premeditatively or had simply over-interpreted facts by correlating two independent phenomena. The most radical position on that issue is presented by Hase Masato who claims that:

“The truth is that the *Tokyo Asahi Shinbun* and other newspapers invented the existence of *Zigomar* copycat crimes,

and the police subsequently banned this movie on the grounds of these papers' fabricated reports" (ibid.: 92).

### **Zigomar's Legacy: Japan's Film Censorship System**

Whatever the reasons for the printed media's engagement in the anti-Zigomar campaign, the fact remains that its long-term effect was a fundamental transformation in the operating conditions of the Japanese movie industry. The introduction of the ban on *Zigomar* films was an *ad hoc* action, a decision made in the heat of the moment. However, the discussion that surrounded it convinced the authorities about the necessity of more systematic changes in the area of film regulations. It was recognised that the then-present legislative system was not just ineffective in terms of censorship but in general inadequate to regulate the new medium. After journalists had rebuked the police for allowing the *Zigomar* films to be screened in the first place, a representative of the Tōkyō Metropolitan Police explained:

At police headquarters looking at the original story of the French *Zigomar*, it was thought that there was nothing much to it. Even among works of this kind, if you inspect the moving picture license, you would think it is only a kind of child's play. That's why we approved it up until today thinking it had no effect on public morals. However, looking at the actual film, there is a world of difference from the explanation in both the scenery and the characters (Gerow 2001: 10).

In other words: the institution responsible for the censorship procedures gave permission to exhibit the film none of its members had ever seen. What is extremely important, however, is that no functionary neglecting his duties could be blamed as the source of this situation was purely systematic. Pre-existing regulations applied to the various forms of entertainment and art were thoughtlessly transposed to the cinema and did not require watching a theatrical play, spectacle or show before authorising its public performance – it was sufficient enough for the censor to familiarise himself with its summary, transcription of dialogues and narration script. After the outbreak of the “Zigomar Scandal” it became clear that this model was inadequate for the medium of film and that the censorship procedures had to be based on the principle of prior screening. This revolutionary approach was the consequence of the realisation that “moving pictures” are characterised by the lack of coherence between



fabular, textual and visual spheres. Movies depicting criminal activities were supposed to have an impact on audiences precisely because, despite condemning the crime by intertitles, narration and general storyline, visual images alone send contradictory messages, were open to different interpretations or even “tore” themselves away from the film and independently affected the mind of the spectator.

The concept of the cinema as an autonomous phenomenon, characterised by significant qualitative differences from the other media, was developed only after a lively debate on its negative properties and the necessity to implement effective means of its control. We may even say that the cinema had been identified as the problem before it was identified as the cinema. As Aaron Gerow notes:

The history of discourse on the moving pictures in Japan as a specific object began only with the realization that [previous] discourse was inadequate to define or accommodate its object. Such a realization itself was not sufficient to generate a discourse on the motion pictures: it had to be linked to a description of the medium as a social problem in need of solution. (Gerow 2010: 65)

Fundamental reorientation in terms of film regulations after the “Zigomar Scandal” was not limited to the constataction that censorship procedures ought to be based on the prior screening of the film. In fact it required the *c r e a t i o n* of film regulations which were *de facto* non-existent at the time as well as the unification and centralization of general censorship provisions as previously they remained in the remit of local authorities. It is sufficient to say that prior to the outbreak of the scandal there were no nationwide laws relating exclusively to the cinema. Certain aspects of the cinema subjected to various nationwide legislative acts such as the *Copyright Law* of 1889 (amended in 1910), the *Copyright Regulation Procedures* of 1910, the *Publication Law* of 1893, *Regulations for Advertising* of 1911, the *Military Vehicle Protection Law* of 1899 and *Rules for Military Ports* of 1900, nonetheless none of these acts were designed specially for the cinema. As for censorship: the only nationwide rules of this type were custom regulations which prohibited the importing of works (including films) desecrating the dignity of the imperial house, inciting the abolition of the system of private property, documenting the activities of international communist groups *etc.* (Makino 2001: 48-50).

As the cinema had not yet been identified as a medium of immanent properties requiring the development of independent regulations, initially it had been located within the legislative area relating to live theatre and *misemono* (見世物). *Misemono* (literally: “show” or “exhibition”) is a complex conceptual category coined in the Edo period (1603-1868) in reference to the diverse performative practices presented in roadside tents and at stands. This broad term accommodated, among other things, juggling tricks, acrobatic shows, storytelling, amateur theatre (“beggar’s *kabuki*”), *saiku* (細工, fancy craftsmanship), freak-shows (“demon girl”, “bear boy”, “testicle girl” ), exhibitions of exotic animals (tigers, camels, elephants) and presentations of Western technical novelties (telescope, X-Ray) (Markus 1985). Shortly after its arrival in Japan, films were shown both in live theatres and *misemono* stands.

The decentralization of the censorship system meant that the smallest unit able to issue and enforce its own regulations was a local police station. While it worked in less urbanised prefectures and smaller towns it proved to be inefficient in the bigger cities, as in extreme cases the differences in the regulations occurred already at the level of city districts. What is more, as the license for screening was not respected in juridical areas other than those in which permission was given, the same film was usually subjected to at least several independent censorship procedures.

The process of the development of centralised regulations coincided with the general policy of the Meiji government aimed at a gradual transformation of the remnants of the feudal clan system, local in its nature, into a modern state based on centralized bureaucratic apparatus. There is no doubt that this process would have eventually encompassed the cinema but it would have happened much later, after more urgent issues were dealt with. The “Zigomar Scandal” led to a revaluation of priorities by identifying the cinema as an important social problem.

Although the defectiveness of excessive decentralization of film censorship had been noticed in some places prior to the Zigomar case – as evidenced by the fact that the police headquarters in Toyko and Osaka had issued similar internal guidelines for moving picture regulations subsequently in October 1910 and July 1911 – it was not until the press campaign was launched that the activities leading to the development of nationwide film censorship rules were intensified. On October 13, 1912 the *Tōkyō Asahi Shinbun* published Tokyo’s police internal guidelines. According to these rules no screening permission should be given to films that fall into at least one of these categories:

1. Based on a story which has as its essential point matters dealing with adultery.
2. Elements having a tendency to support or make attractive the means and methods of crime.
3. Elements extending into cruelty.
4. Elements extending into obscenity, or those that feature matters dealing with love that in particular are feared to incite feeling of lust.
5. Elements tending to deviate from morality, which are feared to give rise to mischief among children, or which prompt ill feelings.
6. Elements which recklessly satirize current affairs and are feared to harm public peace. (Makino 2001: 65)

As Aaron Gerow underlines:

The sections covering adultery, cruelty, obscenity, and morality differed little from the theatre regulations in force at the time. What had changed in confronting the problem of film was the perception that cinematic works could not only offend established sensibilities or directly harm public morals but also strongly induce objectionable behaviour in spectators, especially in certain sectors of the audience. This was a problem thought specific to cinema (Gerow 2010: 63).

These guidelines had an interim character and as such were merely the starting point for the development of legislative acts that tended to treat the cinema in a more comprehensive manner. The first of such acts was the *Rules of the Management of Motion Picture Entertainment* (*Katsudō shashin kōgyō torishimari kisoku*, 活動写真興行取締規則) enacted by the Tokyo Metropolitan Police in August 1917.

Although the basic criteria for application examination differed slightly from those present in previous internal guidelines, greater emphasis was put on the fact that the basis for the evaluation should be the film's prior screening. New regulations introduced a licensing system for the film narrators, yet three more years had to pass until police started to execute it by holding certifying examinations (Fujiki 2006: 78). Film theatres had to be segregated, with separate seating sections for men and women, and the billboards were to be controlled by the police in order to prevent

misleading or salacious advertising (Freiberg 2000). Initially, all of the feature movies exhibited in theatres had to be classified into one of two categories – *kō* (甲), allowed to be viewed by spectators aged fifteen or older, and *otsu* (乙), suitable for audiences of all ages. This requirement, however, was dropped in 1920 due to the lobbying of film business representatives who allegedly registered a decrease of up to fifty percent in the number of customers (Salomon 2002: 149-150). As can be seen, the architects of the *Rules of the Management of Motion Picture Entertainment* tried to encompass all aspects of cinema – from film content, through its narration, to conditions of screening. Soon, the remaining 46 prefectures adopted regulations based on Tokyo's provisions, however nearly all of them deviated to some extent from the source model.

For almost eight years film censorship remained in the remit of the prefectural authorities. However, the rapid growth of the movie industry eventually induced the Home Ministry to centralise and standardise film regulations. Thus, in May 1925 *Motion Picture Film Inspection Regulations* (Katsudō Shashin “Firumu” Ken'etsu Kisoku, 活動写真「フィルム」検閲規則) were announced. The conduct of film inspection was delegated to ministerial officials. After the obligatory viewing of the film and the reading of its narrative script they decided whether it was suitable for screening or not. Permission was given for a period of three years and was binding throughout the entire country (Kasza 1993: 55). In contrast to their predecessors, the 1925 regulations did not contain articles devoted to conditions in movie theatres, audiences and narrators. As Aaron Gerow notes:

The 1925 censorship codes were the first in Japan to truly define the moving picture text as separate from the realm of exhibition (...). National censorship in effect declared exhibition irrelevant in judging the meaning of film (Gerow 2001: 27).

### **Demarcated Boundaries: The Movie Industry and New Regulations**

Film regulations of 1917 and 1925 may be perceived as predecessors of more restrictive Film Law (*Eigahō*, 映画法) of 1939 by which Japanese government guaranteed itself total control over the film industry and subordinated cinema to the goals of national policy. On the other hand, despite obvious differences in details and circumstances, introduction of film censorship system was universal trend in the history of every national cinema which – at least to some extent – contributed to the establishment

of marute and rationally managed film industry. Thus analysis of enactment of 1917 and 1925 film regulations solely in the categories of political interests inevitably leads to excessive simplification.

Paradoxically, at this stage of development of Japanese film regulations (1910s and 1920s), the biggest winner was not the government – which obtained a means of control over the medium that was able to mould public opinion and serve as a propaganda tool – but the Japanese movie industry. This statement may be contested by some readers as currently – especially in the Western societies – censorship is negatively valorised as a tool for social control and the suppression of freedom of expression. However, we must keep in mind that at that time the Japanese film industry – apart from some marginal exceptions – was not interested in contesting the dominant culture and ideology promoted by the authorities. Its ambition was purely and simply money-making. The introduction of a centralised film censorship system, based on unambiguous criteria, was in the industry's interests as it reduced the risk of investment in products that would not generate profits.

With the gradual formation of the studio system, modelled after the American pattern, this issue became more and more urgent. Rising production costs imposed thinking on a national scale which was hindered by the risk of not obtaining permission for screening (reduced by legal clarification) or obtaining it only in certain prefectures and cities, which was eliminated by the centralization of the law. What is more, as the requirement of applying for screening permission in the event of changing the location of a film's screening was removed, film companies gained greater flexibility in managing their products due to the significant reduction of time when they could not be used.

More importantly however, movie producers and importers finally knew what kind of films they could safely manufacture and distribute. Just as the scandal is a Janus-faced phenomena, the demarcation of boundaries is a Janus-faced activity – on the one side it is an undeniable restriction of freedom, yet on the other it is a pure form of defining the scope of liberty. “I forbid” is inextricably linked with “I permit”. The enactment of centralised regulations reduced the area of ambiguity and allowed the Japanese film industry to rationalize its business strategy. After May 1925, no transgression could claim to be unconscious any longer.

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